United Nations

A/C.1/53/PV.17

General Assembly

Fifty-third session

Official Records

First Committee

17th Meeting

Wednesday, 28 October 1998, 10 a.m.

New York

Chairman: Mr. Mernier . . . . . (Belgium)

The meeting was called to order at 10 a.m.

Agenda items 63 to 80 *(continued)*

Thematic discussion on item subjects; introduction and consideration of all draft resolutions submitted under all items

Ms. Kunadi (India): I have the honour to introduce a draft resolution A/C.1/53/L.15 on the role of science and technology in the context of international security and disarmament, sponsored by Bangladesh, Bhutan, Costa Rica, Cuba, Democratic Republic of the Congo, Guyana, Indonesia, the Islamic Republic of Iran, Kenya, the Libyan Arab Jamahiriya, Malaysia, Nepal, Nigeria, Pakistan, Singapore, Sri Lanka, Viet Nam and India.

This draft resolution, which India has traditionally sponsored, addresses an issue of importance to the international community, in particular to the developing world. The growth of science and technology offers immense possibilities for development, but at the same time there is a need to recognize that several of the advances have military applications. Some years after the end of the cold war military research and development remains a high priority in several countries. There is a continuing demand, generated by the military doctrines of major Powers, for ever more advanced applications of science and technology for military purposes and in newer dimensions of military conflict. For developing countries, access to scientific and technological advances for developmental purposes remains a priority issue. In fact, such access is often an impetus for economic growth and can have a positive impact on the world economy as a whole.

At the same time, the developing world has had to pay a developmental cost in view of the persistence of discriminatory control regimes which, in effect, are no more than exclusive groupings of countries that limit the exchanges of such technologies to exchanges among themselves while denying access to other countries that may require them for developmental purposes. These regimes are often commercial and economic barriers to normal trade. Not only are they contrary to existing treaty provisions, but they also impede the growth of an interdependent global economy. Questions have been raised about whether such regimes have been truly effective in achieving their stated purpose of strengthening the international non-proliferation regime, especially with regard to scientific and technological applications connected with advanced weapon systems and weapons of mass destruction.

We believe that the regulation of flows of dual-use goods and high technologies, to be effective and efficient, should be internationally applicable on the basis of multilaterally negotiated, universally applicable, non-discriminatory guidelines. At the same time there is a need to recognize that internationally negotiated guidelines for the transfer of high technology with military applications should take into account the legitimate defence requirements of all States and requirements for the maintenance of international peace and security, while ensuring that access to high-technology products and services and know-how for peaceful purposes is not denied.

We appreciate the efforts of the Secretary-General in the report entitled "Role of science and technology in the

98-86230 (E)

This record contains the original texts of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

BEST COPY AVAILABLE

context of international security and disarmament", in document A/53/202, submitted pursuant to General Assembly resolutions 51/39 of 10 December 1996 and 52/33 of 9 December 1997. In resolution 51/39 the Assembly requested the Secretary-General to update and further develop an earlier report dated 17 October 1990 entitled "Scientific and technological developments and their impact on international security", document A/45/568, in order to evaluate the impact of recent scientific and technological developments, especially those which have potential military applications. In resolution 52/33, the Assembly recalled resolution 51/39 and its request to the Secretary-General to submit an updated report no later than at the present session.

With a view to advancing the consideration of the issues contained in the report of the Secretary-General, this draft resolution proposes in operative paragraph 4 that the Secretary-General seek the views of the Member States on this report and make recommendations on the possible approaches to multilaterally negotiated, universally acceptable, non-discriminatory guidelines for international transfers of dual-use goods and technologies and high technologies with military applications, in a report to be submitted to the General Assembly at its next session. It is our expectation that this will enable all Member States to reflect fully on the issues involved and facilitate progress towards a goal that is in the interests of all. We hope, therefore, that the draft resolution will attract the support of a large number of delegations.

Mr. Hayashi (Japan): I have asked to speak to introduce, on behalf of 39 sponsors, draft resolution A/C.1/53/L.13, entitled "Small arms". The names of 37 sponsors are in the document: Australia, Austria, Belgium, Brazil, Burkina Faso, Central African Republic, Croatia, Ecuador, Finland, Germany, Hungary, Ireland, Italy, Jamaica, Japan, Kyrgyzstan, Lithuania, Malaysia, Mali, Mexico, Nepal, Netherlands, New Zealand, Niger, Nigeria, Peru, Philippines, Poland, Portugal, Republic of Korea, Senegal, Sierra Leone, South Africa, Sri Lanka, Sweden, the former Yugoslav Republic of Macedonia and Uruguay. I am happy to announce now that there are two additional sponsors, Greece and Turkey.

Japan introduced a draft resolution on small arms for the first time in 1995, partly in response to the view expressed by the then Secretary-General, Mr. Boutros Boutros-Ghali, on the need to pursue disarmament not only in the field of weapons of mass destruction but also with regard to the small arms and light weapons that are actually killing people in hundreds of thousands.

Based on the 1995 resolution on small arms, resolution 50/70 B, in the following year the Secretary-General nominated the Panel of Governmental Experts on Small Arms, which was chaired by Ambassador Donowaki of Japan. The Panel's report was submitted to the General Assembly in 1997 in document A/52/298 and was overwhelmingly endorsed by the Assembly in resolution 52/38 J.

Since the introduction of our draft resolution on small arms three years ago, the awareness of Member States and non-governmental organizations of the programmes concerning small arms has grown remarkably. Many initiatives are now being taken and activities conducted at international, regional and national levels to tackle the issue of small arms. This year's draft resolution on small arms, L.13, is to further promote such initiatives and activities with a view to advancing them step by step and in as concrete a manner as possible.

The report of the Panel of Governmental Experts last year made various important recommendations, including, among others, those related to an international conference on the illicit arms trade in all its aspects. Without prejudice to the broader scope involved in the work of the Panel of Governmental Experts, this year's draft resolution, in its operative paragraph 1, decides to convene the international conference not later than the year 2001. It is a decision in principle subject to further decisions specified in operative paragraph 2.

In operative paragraphs 2 and 3 the draft resolution requests the Secretary-General to prepare a report to be submitted to the General Assembly at its fifty-fourth session with a view to arriving at an Assembly decision next year on the objective, scope, agenda, dates, venue and preparatory committee of such an international conference. The Secretary-General will seek the views of Member States, and it is expected that other views of Member States, including those already expressed on this international conference, will be reflected in his report. Furthermore, the Secretary-General's report in document A/52/298 of last year and a new Panel report to be submitted next year will also be taken into account by the Secretary-General in preparing his report.

In operative paragraph 4 the draft resolution welcomes the offer made by Switzerland to host the international conference.

It is the sincere hope of the sponsors and supporters of the draft resolution that its adoption will enable the

BEST COPY AVAILABLE

United Nations to demonstrate to the international community that it is genuinely concerned with the problem and is united and determined to tackle the issue of small arms urgently.

Mr. Al-Nasser (Qatar) (*interpretation from Arabic*): As this is the first time I have spoken in the Committee, it is a great pleasure for me to congratulate you, Sir, on your election to the chairmanship of the Committee. I am convinced that with your competence and knowledge we will attain the best results.

Qatar has had opportunity already to stress the sincere desire to make the Middle East a region free of weapons of mass destruction, as the Foreign Minister of my country once again emphasized during his statement to the General Assembly on 25 September 1998. All the Arab States share this goal, but obstacles arise from Israel's refusal to cooperate with the international community and the States in the region. Our Minister stated:

> "Israel is the only nuclear-weapon State in the region and the only State that has so far refused to sign the treaties relevant to the prohibition of such weapons and the prevention of their proliferation. If it persists, this situation will lead to tension and the repercussions arising from the imbalance of power it causes. Therefore, in our view, it is necessary and imperative to take concrete steps to eliminate these weapons from the region, so as to avoid the risks of launching an arms race that would further destabilize in the region." (A/53/PV.16, p. 31)

The creation of a nuclear-weapon-free zone, especially in tense areas in the Middle East, on the basis of arrangements adopted among the countries of the region under the auspices of the International Atomic Energy Agency (IAEA) would strengthen peace and security both regionally and internationally. The report of the Secretary-General entitled "The risk of nuclear proliferation in the Middle East", in document A/53/457, is strengthened by a resolution entitled "Applications of International Atomic Energy Agency safeguards in the Middle East", which provides a framework for the establishment of a zone free of weapons of mass destruction in the Middle East. This resolution, GC(42)RES/21, was adopted by the General Conference of the IAEA on 25 September 1998. In paragraph 3 it calls upon all parties concerned to take the practical and appropriate steps required to implement the proposal to establish a nuclear-weapon-free zone in the Middle East.

The desire of Member States of the region to establish a nuclear-weapon-free zone is in conformity with the Final Document of the Tenth Special Session of the General Assembly, devoted to disarmament, and the relevant resolutions of the General Assembly and the General Conference of the IAEA, especially GC(41)RES/25, adopted on 3 October 1997.

The Secretary-General in his report A/53/379 welcomed the fact that all Arab States have acceded to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and are working towards the early establishment of a nuclear-weapon-free zone in the Middle East.

Attaining a framework for the establishment of a zone free of weapons of mass destruction in the Middle East is closely linked to achieving a comprehensive, just and lasting peace in the region. The durability of peace depends on the reformulation of strategic balances on a sound basis.

In conclusion, the State of Qatar will do its utmost to support the efforts towards the establishment of a nuclear-weapon-free zone in the Middle East and invites all countries to further their efforts along these lines and to consider the relevant measures for the application and creation of this zone in order to establish a just and comprehensive peace in the region, to strive for a world free of wars and of weapons of mass destruction in the near future, until people can work for development, progress and prosperity in the service of all mankind.

Mr. Valle (Brazil): I have the honour of introducing to the First Committee draft resolution A/C.1/53/L.37 on the "Nuclear-weapon-free southern hemisphere and adjacent areas" on behalf of the following 54 sponsors: Angola, Antigua and Barbuda, Argentina, Barbados, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Cape Verde, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Democratic Republic of Congo, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Grenada, Guatemala, Haiti, Indonesia, Jamaica, Kenya, Kyrgyzstan, Lesotho, Liberia, Malaysia, Mali, Mexico, Mongolia, Mozambique, New Zealand, Nicaragua, Nigeria, Panama, Paraguay, Peru, Samoa, Singapore, Solomon Islands, South Africa, Suriname, Thailand, United Republic of Tanzania, Uruguay, Venezuela and Zimbabwe.

This is the third consecutive year that Brazil presents to the First Committee a draft resolution on the issue. We are glad that the support for this initiative increased last year when our resolution 52/38 N was adopted with 131

votes in favour. It is our hope that the changes introduced to the draft resolution this year will bring even more support.

This year's text is basically the same as last year's except for two important changes. In the last preambular paragraph we included the expression "the freedom of the high seas", a principle already enshrined in Part VII of the United Nations Convention on the Law of the Sea. In the same paragraph the word "under" was replaced by "those of" after the word "including". Besides that, in operative paragraph 1 the word "entire" has been deleted.

These changes have been made so as to accommodate concerns expressed in relation to rights of navigation and passage through maritime space. Once again I wish to convey my Government's gratitude for the flexibility and spirit of cooperation shown by the delegations that took part in the negotiations. Special reference should be made to the efforts of those delegations, including sponsors, which, not being parties to the United Nations Convention on the Law of the Sea, could have had difficulties with the proposed changes but accepted them in the same spirit of building support for the text.

In the area of nuclear disarmament, one of the most significant developments of recent decades is that in several parts of the world the nuclear option has already been ruled out. The areas of application of the regional treaties, with the addition of the Antarctic Treaty, contribute to freeing the southern hemisphere, and the adjacent areas north of the Equator where the treaties apply, from nuclear weapons. Those States, in close consultation with their neighbours, renounced the acquisition of nuclear weapons and accepted stringent verification commitments to that effect.

Our initiative aims at achieving the recognition by the General Assembly, for the third consecutive year, of the progressive emergence of a nuclear-weapon-free southern hemisphere and adjacent areas. Such recognition should be considered as a confirmation of the commitments of the international community towards non-proliferation and disarmament.

The draft resolution, of course, does not create new legal obligations. It does not contradict any norm of international law applicable to ocean space, such as those contained in the United Nations Convention on the Law of the Sea. It does aim to recall the need to respect existing commitments under nuclear-weapon-free zone treaties and their protocols, to call upon States that have not yet done so to move towards ratification of such treaties and protocols, and to call upon States to consider further proposals for nuclear non-proliferation and disarmament.

In addition, we are convinced that the promotion of the idea that most of the globe is nuclear-weapon free will undoubtedly have a demonstration effect and add impetus to the process of nuclear disarmament and to the strengthening of the nuclear non-proliferation regime. We hope for further sponsors and expect affirmative votes for this draft resolution from all States that support nuclear non-proliferation and nuclear disarmament.

Mr. Tejeira (Panama) (*interpretation from Spanish*): As this is the first time I am addressing the Committee, allow me to congratulate you, Sir, on the very skilful way that you are guiding the work of the First Committee.

The delegation of Panama, on behalf of the countries of the Rio Group, has the honour to speak on the subject of a nuclear-weapon-free southern hemisphere and adjacent areas. I should like today on behalf of the Rio Group to refer to an important initiative in the area of nuclear disarmament, which, for the third consecutive time since the fifty-first session of the General Assembly, is being considered in the First Committee. I am referring to the draft resolution entitled "Nuclear-weapon-free southern hemisphere and adjacent areas" submitted by the members of existing nuclear-weapon-free zones and supported by the vast majority of Member States.

Representatives will recall that at the fifty-first Assembly session the proposal to declare the southern hemisphere a nuclear-weapon-free zone was submitted for the first time. The parties to the Treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba joined in the initiative. Those regional treaties, together with the Antarctic Treaty, prohibited nuclear weapons in the southern hemisphere and in the major adjacent areas in the northern hemisphere. That situation was recognized in resolution 51/45 B, adopted on 10 December 1996.

In 1997 the initiative was repeated and was still more broadly supported because of changes made to the text and clarification submitted by sponsors with the intention of ensuring that the proposal was perfectly consistent with the non-proliferation and disarmament commitments adopted by almost all Member States, and resolution 52/38 N was adopted. At the fifty-third session the proposal has been submitted once again. The members of the Rio Group will support it and work constructively on it to ensure that all

countries that support non-proliferation and disarmament join with us.

Given the recent nuclear testing in Asia, the draft resolution on the southern hemisphere is even more significant and points in the same direction. Without creating new obligations, it simply recognizes the regional prohibitions of nuclear weapons and requests that the denuclearized status of vast regions of the world be effectively respected. Our countries do not want nuclear weapons, and we wish to have them eliminated.

We call for support from all delegations for this draft resolution, which, of course, is perfectly in line with political and legal commitments of countries which defend non-proliferation and disarmament and which for many years now have been committed to the elimination of nuclear weapons.

Mr. Sidorov (Russian Federation) (*interpretation from Russian*): As delegations know, the Russian Federation at the present session of the General Assembly has drawn the attention of Member States to important current issues, especially the matter of information security.

We feel that recently this question has acquired special significance in view of the qualitatively new stage of the scientific technological revolution in the world, that is, the sharp development and introduction of new information technology and means of telecommunications. The Foreign Minister of the Russian Federation sent a letter to the Secretary-General of the United Nations in which he put forward in detail our view of the problem of information security. That letter is contained in document A/C.1/53/3.

I wish now to present to delegations our draft resolution entitled "Developments in the field of information and telecommunications in the context of international security", document A/C.1/53/L.17. I wish to emphasize once again that the Russian Federation's draft is of a procedural nature and is directed towards drawing attention to the need to look at the various levels of information security. The text distributed in document L.17 is different from the original text. We held discussions with a number of delegations when we were working on the text.

In the preamble the draft refers to General Assembly resolutions on the role of science and technology in the context of international security. That reference to previous resolutions recalls the relevant points of those resolutions. The preamble notes the considerable progress achieved in developing and applying the latest information technologies and their impact on the further development of civilization. At the same time it expresses concern that these technologies and means may potentially be used for purposes that are inconsistent with the objectives of ensuring international security and stability.

The operative part of our draft resolution calls upon all States to inform the Secretary-General of the United Nations of their views on their general appreciation of the issues of information security, their basic notions related to information security and the advisability of developing international legal regimes to ensure the security of global information systems and to combat terrorism and criminality in the field of information.

We feel that this broad setting out of the issue will allow all States to express their views and opinions on all aspects of this topical and multifaceted problem. We invite delegations to join the sponsors of our draft resolution. We hope that the draft resolution will be adopted by consensus.

Mr. Nordenfelt (Sweden): I have the honour to introduce draft resolution A/C.1/53/L.20/Rev.1 on the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects. With your indulgence, Sir, and with the indulgence of the 50 sponsors I shall for the sake of brevity dispense with reading out their names. I wish to stress, though, that we highly appreciate their steadfast support and sponsorship.

The 1980 Convention consists of a framework Convention and four Protocols. Protocol I deals with fragmentation weapons. Protocol II concerns mines, booby traps and other devices. The subject of Protocol III is incendiary weapons. The last addition is Protocol IV, dealing with blinding laser weapons. The Convention and its Protocols constitute an essential and integral part of international law applicable in armed conflict. Their purpose is to place constraints on the conduct of wars by restricting the use of certain conventional weapons. When fully implemented the rules contained in the Protocols will sharply limit or eliminate the risks to civilians and non-combatants. Lives will be saved and suffering significantly reduced.

The Convention offers the framework for global negotiations gradually to refine or expand the areas covered by it. In 1995-1996 the High Contracting Parties convened an amendment conference to seek agreements on further restrictions. Sweden was honoured to be entrusted with the

chairmanship, which was exercised by Ambassador Johan Molander. By the time the Conference concluded its work in May 1996 it had been able to strengthen Protocol II considerably and adopt the new Protocol on laser weapons.

It is important that this process continue. In its Final Declaration the Review Conference decided to convene a further review conference not later than 2001. This will offer the High Contracting Parties renewed opportunities to consider means to strengthen the protection against unnecessary suffering that can be offered combatants, non-combatants and civilians in armed conflicts.

It is with a sense of great satisfaction that I note that the Protocol on Blinding Laser Weapons entered into force on 30 July 1998. As of today 31 parties have consented to be bound by the Protocol.

Equally gratifying is the fact that 26 High Contracting Parties now have consented to be bound by the amended Protocol II, which, as a result, will enter into force on 3 December 1998. The draft resolution before the Committee reflects these positive developments and the fact that under the provisions of the amended Protocol its parties will meet once yearly to consult and cooperate with each other on all issues related to the operation of the Protocol. The draft resolution requests the depositary to convene the first annual conference of parties to the Protocol in the course of 1999.

The intention of draft resolution A/C.1/53/L.20/Rev.1 is to promote the further universalization of this important body of humanitarian law. On behalf of its 50 sponsors I should like to express the hope that the draft resolution will be adopted by consensus.

Mrs. Rovirosa (Mexico) (*interpretation from Spanish*): The delegation of Mexico is pleased to submit on behalf of Antigua and Barbuda, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Lucia, Suriname, Trinidad and Tobago, Uruguay and Venezuela, draft resolution A/C.1/53/L.19 under agenda item 77, entitled "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)".

The priority placed by the Governments of Latin America and the Caribbean on consolidating the regime to prohibit nuclear weapons established by the Treaty of Tlatelolco has been expressed once again in the high number of sponsors from the States parties to the Treaty of Tlatelolco and with the inclusion of two events this year: the ratifications by the Governments of the Dominican Republic and Guatemala of the amendments to that Treaty.

Draft resolution L.19 contains two new preambular paragraphs which take account of the ratifications by the Dominican Republic and Guatemala of the amendments to the Treaty of Tlatelolco. In its operative paragraphs the draft resolution welcomes the concrete steps taken by some countries of the region to consolidate the regime of military denuclearization established by the Treaty, and urges the countries of the region that have not yet done so to deposit their instruments of ratification of the amendments to the Treaty approved by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) in 1990, 1991 and 1992.

We hope that draft resolution L.19, endorsed by the States signatories to the Treaty of Tlatelolco, will receive, as draft resolutions in previous years have received, the broadest support from the First Committee and will be adopted without a vote.

Mr. Soutar (United Kingdom): Our support for nuclear-weapon-free zones, on the basis of arrangements freely agreed by all States in the region concerned and embodied in appropriate treaties, is well established and I will not rehearse now the various concrete steps the United Kingdom has taken to this end. Nor need I reiterate our support for the Treaties of Tlatelolco, Rarotonga, Pelindaba and the Antarctic. Further, we fully support the principle of cooperation between existing zones in order to promote their common objectives.

Against this background, during the last two sessions of the First Committee we have consulted closely with the sponsors of the draft resolution on a nuclear-weapon-free southern hemisphere and adjacent areas — which this year has just been introduced by the Ambassador of Brazil as A/C.1/53/L.37 — in an effort to enable us to enjoy consensus on the draft resolution. But despite having achieved some substantial and very welcome improvements to the drafts, our key concerns still remained.

This year I am happy to welcome the engagement on the part of the sponsors in further constructive efforts to address our concerns. We also welcome the improvements that have been incorporated in the text, to which the Ambassador of Brazil referred. I fear, however, that there is still a risk that the pattern of the last two years may be

repeated, and that is because our fundamental concern remains unaddressed.

At the last two sessions of the First Committee, with the United States and France, we set out our concerns in a joint explanation of vote following a negative vote. I hope that we will not have to do so again, and I have therefore taken the floor now in a further effort to seek clarification of our key point. Our concern, which I fear may have been lost in the minutiae of drafting detail is, simply stated: is it the intention of the draft resolution to create a new zone which would cover international waters? Yes or no.

If the answer is "yes", then I would have to ask how that would be consistent with the maritime rights of free passage enshrined in the Law of the Sea Convention, to which the draft resolution itself refers. If the answer is "no" — and I hope very much from what the Ambassador of Brazil said when introducing the draft resolution that it is "no" — then I ask what the draft resolution would add to the status of the existing zones, which already cover all the land in the southern hemisphere with the exception of a few small islands.

In this case, it seems to us, the draft resolution might bring out more clearly in its title and in operative paragraph 5 that its focus is primarily the promotion of cooperation between the existing zones, which, as I have stated, is a goal that we fully share. We have been seeking an unambiguous response to this question since the draft resolution first appeared, but we have not so far secured one. I should indeed be most grateful if one of the sponsors could offer one now.

Mr. Kouwenaar (Netherlands): As in previous years my delegation wishes to address the First Committee in support of the draft resolution introduced by Sweden in document A/C.1/53/L.20/Rev.1, on the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, generally known as the Convention on Conventional Weapons.

This Convention and its Protocols on devices such as landmines and blinding lasers that inflict terrible injuries are of special significance in the body of international law applicable in armed conflict. Protocol IV, in particular, even bans an entire category of weapons.

Taken as a whole, the Convention and its Protocols will help to reduce the suffering of combatants as well as of civilians. It therefore rightly deserves once more the particular attention of the Committee, and my delegation, which has been working closely together with Sweden over a number of years in promoting universal adherence to the Convention and its Protocols, is very grateful to Sweden for once again giving us the opportunity to reflect on the issues involved.

It is our firm belief that military necessity in armed conflict has to be constantly put against the humanitarian objective of preventing unnecessary suffering. It is important that rules relating to this fundamental norm of law of armed conflict are codified in international legally binding instruments. At the same time the effectiveness of an instrument depends on the adherence to it by all States. My delegation therefore fully supports the call, in operative paragraph 5 of the draft resolution, on States that have not yet done so to become parties to the Convention and its Protocols as soon as possible.

The Netherlands Parliament is currently finalizing its deliberations on amended Protocol II and on Protocol IV, on blinding lasers. The Netherlands expects to formally express its consent to be bound by these instruments early next year.

As Ambassador Nordenfelt noted, the process of further strengthening the legal instruments should continue. My delegation therefore also supports the call, in operative paragraphs 3 and 4, on the Secretary-General to convene, and on the Parties to attend, the first annual conference of High Contracting Parties to the amended Protocol II. I would like, therefore, to join the Swedish delegation in expressing the hope that this important draft resolution will be adopted without a vote.

Mr. Akram (Pakistan): I have asked to speak to introduce draft resolution A/C.1/53/L.36, on the conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. I introduce the draft resolution on behalf of the delegations of Bangladesh, Colombia, Cuba, Egypt, Guatemala, Indonesia, Iran, Malaysia, Myanmar, Sri Lanka, Sudan, Viet Nam and my own delegation.

We believe that the need for security assurances, indeed the obligation for security assurances, in the nuclear world arises fundamentally from the provisions of the United Nations Charter. The Charter very clearly stipulates the provision that States have undertaken not to use or threaten to use force, and that means all kinds of force with any kind of weapon.

Of course when the Charter was written the existence of nuclear weapons was not within the realm of the declared knowledge of the formulators of the Charter, and therefore there was no specific reference to the threat posed by nuclear weapons and the possible response to such a threat. But we believe it is only reasonable and logical that the provisions of the Charter on the non-use or threat of use of force also apply equally and with equal force to the non-use or threat of use of nuclear weapons; that the provision of security assurances is an obligation deriving from the Charter; and that it is incumbent on all those States that retain nuclear weapons to be bound by these provisions of the United Nations Charter — the provisions not to use or threaten to use nuclear weapons. That is a fundamental obligation. It is not a favour to be granted to other States.

This fundamental obligation was reaffirmed by the United Nations General Assembly in the very first resolution that it adopted on nuclear weapons, where it spoke of the need to outlaw nuclear weapons. Since then of course the world has moved in a different direction with the escalation of the nuclear arms race, the proliferation of nuclear weapons and the inadequate provision of security assurances.

The demand of the non-nuclear-weapon States for legally binding security assurances against the nuclear threat emerged during the 1960s. It crystallized at the 1968 non-nuclear-weapon States Conference which was convened by Pakistan but received a partial, inadequate response in Security Council resolution 255 (1968).

While noting the unilateral statements made by the nuclear-weapon States at the first special session of the General Assembly devoted to disarmament, the Final Document of that session called for the conclusion of an international instrument by the Conference on Disarmament. Unfortunately, despite the lapse of almost 20 years the Conference on Disarmament has been unable to conclude that international agreement.

During the cold war the Conference could not evolve a common formula for the offer of unconditional and credible assurances to non-nuclear-weapon States. All five nuclear-weapon Powers offered only partial and restricted assurances to non-nuclear-weapon States. One side excluded any non-nuclear-weapon State which was a member of a military alliance with a nuclear-weapon State. The other side excluded those non-nuclear-weapon States which had nuclear weapons on their territories. All four nuclear Powers excluded non-nuclear-weapon States which were not parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Only one nuclear-weapon State, China, offered unconditional and unrestricted assurances to all non-nuclear-weapon States against the use or threat of use of nuclear weapons.

It was the general expectation of the international community that with the end of the cold war reliance on mutual nuclear deterrence would decline and even be given up entirely. In such circumstances the nuclear Powers, it was thought, might be prepared to rapidly conclude agreements for nuclear disarmament and at the same time to offer binding and unconditional security assurances to non-nuclear-weapon States, until all nuclear weapons had been eliminated. Alas, these hopes have proved to be utopian. I should like to review briefly the situation confronting the world at present.

First, the NPT has been indefinitely extended, and in the minds and dreams of some it has allowed them to retain nuclear weapons in perpetuity. This is a derogation from the concept of security assurances as a transient and transitional measure until complete nuclear disarmament is achieved.

Secondly, the commitment in article VI to nuclear disarmament, while it has been reaffirmed, has remained open-ended without any indication of even a notional time-frame for achievement. Therefore, the requirement for security assurances becomes open-ended, and that, we believe, is another complicating factor.

Thirdly, we now have new doctrines for the possible use or threat of use of nuclear weapons which did not exist in 1968 or earlier. These doctrines stipulate that nuclear weapons can be used and their use can be threatened in the case of the possible use or threat of use of other weapons of mass destruction — in other words, chemical weapons or biological weapons. This doctrine is clearly contrary to the commitment contained in Security Council resolutions 255 (1968) and 984 (1995) and the whole concept of security assurances that has been discussed so far within the Conference and elsewhere, and it is obviously another complicating factor in the work of the Geneva Conference.

Fourthly, quite apart from the fact that the ambit of the use of nuclear weapons is being reduced, on the contrary it has been further extended. This has happened in two ways. First, the membership of nuclear security alliances has been consciously expanded after the indefinite extension of the NPT so that there are now more States covered by the so-called nuclear umbrella than there were

before. All those States are committed to the first use of nuclear weapons. The forces of all of those States have been inducted into training and military exercises with nuclear weapons, and all those forces would be provided, in the case of an emergency or conflict, with nuclear weapons for possible use.

The number of those States and the geographical area in which this doctrine of first use of nuclear weapons applies have been enlarged. That is a major complicating factor. The counterpoint to that is of course that some nuclear-weapon States which had committed themselves to the non-first-use of nuclear weapons have drawn back from that posture, enhancing the possibility of the use or threat of use of nuclear weapons.

Finally, there have been two other important developments. Two hitherto non-nuclear-weapon States have demonstrated nuclear-weapons capability. One has claimed nuclear-weapon status. That is a question mark. Are these States entitled to receive or to give security assurances, and if so, should these be different in nature from the so-called NPT bargain, since they are not parties to the NPT? Finally, there is one undemonstrated nuclear-weapon State presumed to be so, which is not a party to the NPT. How is that State to be treated — as a recipient, as a provider of security assurances, or as something else?

I have taken the liberty of pointing out these complications because under these circumstances those non-nuclear-weapon States which are not the beneficiaries of all the extended nuclear military alliances — in other words, the entire membership of the Non-Aligned Movement — are quite justified in being gravely concerned at the continued existence of nuclear weapons and the threat of their use. Their demand for binding assurances against the use or threat of use of nuclear weapons is not only legitimate; it has gained special urgency in view of recent developments.

The one positive development this year on the issue is that after several years of hiatus the Conference on Disarmament was at last successful in establishing the Ad Hoc Committee on security assurances. We wish to congratulate Ambassador Antonio de Icaza of Mexico on the imaginative and energetic leadership he provided to the Ad Hoc Committee in reviewing the various aspects of this complex yet strategically vital issue.

Although it was premature to draw any firm conclusions in the Committee, the work that has been accomplished this year in the Ad Hoc Committee indicates the need and value of continuing the negotiations and seeking to evolve legally binding and credible assurances to non-nuclear-weapon States.

Draft resolution A/C.1/53/L.36 reaffirms the need for early agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. This objective enjoys wide support among the non-nuclear-weapon States. The draft resolution notes with satisfaction the establishment of the Ad Hoc Committee by the Conference on Disarmament this year and recommends that the Conference continue intensive negotiations, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to achieve the same objective.

The negotiations in the Conference on Disarmament on an internationally binding convention to provide assurances to these States against the use or threat of use of nuclear weapons would be a major step in the international community's endeavour to create a nuclear-weapon-free world. An unconditional and legally binding commitment of non-use against non-nuclear-weapon States would be a major confidence-building measure between the nuclear Powers and other States. It would remove the major impediment in the promotion of nuclear restraint and non-proliferation in certain regions of tension. Finally, it would facilitate the process of nuclear disarmament by establishing new legal norms which would outlaw the use of nuclear weapons against non-nuclear-weapon States and thus could facilitate agreements on the non-first-use and non-use of nuclear weapons.

It is the hope of my delegation and the sponsors that draft resolution A/C.1/53/L.36 will be adopted by the Assembly this year by consensus.

Mr. Cordeiro (Brazil) (*interpretation from Spanish*): The delegation of Brazil is taking the floor to respond to the question raised by the Ambassador of the United Kingdom on the draft resolution introduced by the delegation of Brazil and 53 other sponsoring countries on a nuclear-weapon-free southern hemisphere and adjacent areas. The question basically was whether or not the objective of the draft resolution is to create a nuclear-weapon-free zone in the southern hemisphere and adjacent areas. I believe that the answer to that question can be found in the statement made just a few moments ago in this meeting by Ambassador Valle when he said that the draft resolution does not contain, nor does it create, any legal obligations.

Given that, I would respond by saying it is not a question of transforming the southern hemisphere into a nuclear-weapon-free zone in a legal sense, but it is the objective of the States submitting this draft and the States supporting it to fulfil a desire that arose when the Latin American States created their first nuclear-weapon-free zone in 1967 through the Treaty of Tlatelolco and to fulfil article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT); that is, the ultimate objective of the international community is to rid the world, in its own best interests, of nuclear weapons of mass destruction — not only the planet Earth, but the space around it as well. I believe this is a non-ambiguous response to the question put to us.

The member countries of the nuclear-weapon-free zones under the treaties of Tlatelolco, Pelindaba, Rarotonga and Bangkok through this initiative wish to express their desire to the international community to see their part of the world free from nuclear weapons. I believe that this is an objective shared by States that have signed the NPT.

The response was provided by Ambassador Valle saying that this draft resolution does not create any legal obligations.

Mr. Khairat (Egypt) (*interpretation from Arabic*): On behalf of the sponsors, I am pleased to introduce, under agenda item 70, draft resolution A/C.1/53/L.40, on the prevention of an arms race in outer space. The delegation of Egypt year after year has submitted a draft resolution on the prevention of an arms race in outer space in cooperation with Sri Lanka, whose Ambassador was kind enough to coordinate consideration of this issue during the Conference on Disarmament artfully and with skill.

The draft resolution does not constrain States wishing to use and explore outer space. On the contrary, it would promote that and ensure greater transparency in achieving those objectives by strengthening the peaceful use of outer space. In order to achieve this objective the draft resolution was suggested so that necessary measures could be taken to prevent a nuclear arms race in outer space. It highlights the need for States to make a contribution to this end, in particular States that are advanced in exploring outer space, and calls upon those countries to abstain from resorting to any measures that might promote the arms race in outer space.

As in previous years, the draft resolution we are submitting highlights the need to adopt more measures to prevent an arms race through the Ad Hoc Committee, which met in Geneva and which ended in 1995. We believe that Committee is the cornerstone for the work of drafting an international treaty preventing an arms race in outer space.

Following the cold war we recognized that conditions were ripe for changing the position adopted by States towards disarmament, in particular because the international community has become more amenable to adopting conventions to prevent an arms race and to promote the non-proliferation of weapons. Last year's draft resolution received 127 votes in favour, and no State was opposed. Given that positive indication of good intentions expressed by Member States to prevent an arms race in outer space and our determination to comply with the mandate of the Committee, we hope that the draft resolution will be adopted by consensus, which would give impetus to the re-establishment of the Ad Hoc Committee.

The Chairman (*interpretation from French*): I wish to draw the attention of all delegations to the fact that this year there are 49 draft resolutions and one draft amendment. Of the 49 draft resolutions submitted, none focus on rationalization, and only 14 have been introduced so far. There are four meetings left, and I renew my appeal to all delegations to introduce the draft resolutions they are supporting as soon as possible.

The meeting rose at 11.20 a.m.